

Amend Section 11-400t.(3) to read:

11-400 AFDC – FOSTER CARE RATES - DEFINITIONS

11-400

Definitions. For purposes of the Foster Care program, the following definitions shall apply wherever the terms are used throughout Chapter 11-400: (Continued)

- t. (3) ~~Transitional Housing Placement Program an independent living training program for youth as specified in Welfare and Institutions Code Section 16522.~~

Transitional Housing Placement Program - for the purposes of this section, is a community care facility licensed by the Department and includes all components of the program that provides supervised housing and supportive services for eligible dependent foster/probation youth as specified in Welfare and Institutions Code Section 11403.2(a)(1).

~~HANDBOOK BEGINS HERE~~

~~The term transitional housing placement program is defined in Welfare and Institutions Code Sections 16522(a), (b) and (c) as follows:~~

~~"The State Department of Social Services shall develop programs in three counties upon the request of the county board of supervisors, to licensed private, nonprofit, or county operated facilities to provide transitional housing placement program services to persons at least 17 years old, and not more than 18 years old unless they satisfy the requirements of Section 11403, who are in out of home placement under the supervision of the County Department of Social Services or the County Probation Department, and who are participating in an independent living program. Transitional housing placement program services shall include any of the following:~~

- ~~(a) Programs in which one or more participants in the program live in an apartment with an adult employee of the licensee.~~
- ~~(b) Programs in which a participant lives independently in an apartment rented or leased by the licensee located in a building in which one or more adult employees of the licensee reside and provide supervision.~~
- ~~(c) Programs in which a participant lives independently in an apartment rented or leased by a licensee under the supervision of the licensee if the State Department of Social Services provides approval."~~

~~HANDBOOK ENDS HERE~~

- (4) Transitional Housing Program – Plus (THP-Plus) - for the purposes of this section, is a transitional housing placement program not licensed by the Department, but certified by counties to provide housing and supportive services, as needed, to emancipated youth pursuant to Welfare and Institutions Code Section 11403.2(a)(2).

Authority cited: Sections 10553, 10554, 11462(i) and (j), 11462.06, 11466.1, and 14680, Welfare and Institutions Code; Section 1559.110, Health and Safety Code; and Chapter 1294, Statutes of 1989, Section 23.

Reference: Sections 1200, 1250, 1502(a)(1) and (a)(8), 1502.4, 1502.4(a)(1), (a)(2)(A), and (b), ~~and~~ 1530.8, and 1559.110, Health and Safety Code; Section 3353, California Labor Code; Sections 4096, 4096(e)(2), 4096.5, 5600.3(a)(2), 5777, 5778, 10852, 11226, 11228, 11230, 11231, 11232, 11233, 11234, 11235, 11236, 11400(h), 11402.5(a), 11460, 11461.1, 11462, 11462(a)(1), 11462.01(a)(2)(A)(i) and (ii), 11462.01(a)(2)(B)(i), 11462.03, 11466.1, 11466.2, 11466.21, 11466.22, 11466.3, 11466.31, 11466.33, 11466.34, 11467.1 (Assembly Bill 1197, Chapter 1088, Statutes of 1993), 11468, 11468.6, 14680, 16522(a), (b), and (c), and 18350, Welfare and Institutions Code; Assembly Bill 1575, Chapter 728, Statutes of 1997; The Classification of Group Home Program Under the Standardized Schedule of Rate System Report, August 30, 1989, and Title 8, California Code of Regulations, Section 11050; and federal OMB Circular A-122, Attachment B, Paragraph 11, Depreciation and Use Allowances, and Paragraph 46, Rental Costs, dated June 1, 1998.

Amend Section 11-410 to read:

11-410 TRANSITIONAL HOUSING PLACEMENT PROGRAM RATES 11-410

- .1 ~~Participating counties shall establish a rate for transitional housing placement programs and the rates shall not exceed the aggregate placement costs for these children if they had not participated in the transitional housing placement programs in accordance with Welfare and Institutions Code Section 11460.1(a).~~

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~~Welfare and Institutions Code Section 11460.1(a) states the following:~~

~~"The Department shall develop a ratesetting system for licensed community care facilities participating in transitional housing placement programs, as defined by Section 16522, and as described by Section 1559.110 of the Health and Safety Code. The rates shall not exceed the aggregate placement costs for these children if they had not participated in the transitional housing placement program."~~

~~HANDBOOK ENDS HERE~~

For THPP rates, pursuant to Welfare and Institutions Code Section 11403.3(a)(1), and MPP Section 30-900 et. seq., a county whose THPP plan has been approved by the Department prior to June 30, 2001 is approved to receive the base rate approved as of that date. If a county did not have an approved THPP plan as of June 30, 2001, the base rate per participant will be \$2,100 per month. An additional amount may be paid according to the following:

- .11 The additional amount shall not cause the total rate to exceed 75% of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age.
- .12 Funding of the additional amount shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
- .13 The state portion of the additional amount shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
- .14 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the additional amount.
- .2 Pursuant to Welfare and Institutions Code Section 11403.3(a)(2), the per tenant monthly rate for THP-Plus shall not exceed 70% of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age, contingent upon the following conditions:

.21 Funding shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.

.22 The state portion of the rate shall be subject to the availability of the Transitional Housing for Foster Youth Fund.

.23 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the rate.

.3 Special Definitions:

.31 “Participant” means, for the purposes of this chapter, a foster/probation youth placed in a THPP unit as specified in Welfare and Institutions Code Section 11403.2(a)(1).

.32 “Tenant” means, for the purposes of this chapter, a young adult who is a former foster/probation youth and who is participating in Transitional Housing Program (THP)-Plus pursuant to Welfare and Institutions Code Section 11403.2(a)(2).

.33 “Unit” means, for the purposes of this chapter, the THPP residence where the participant or tenant resides.

Authority Cited: Sections 10553, and 10554, ~~and 11460.1~~, Welfare and Institutions Code; ~~and Health and Safety Code Section 1559.125.~~

Reference: Sections 10553, 10554, 11403.3, 15200, and 16522.3, Welfare and Institutions Code; ~~and Health and Safety Code Section 1559.110.~~

Section 30-002 is amended to read:

30-002 DEFINITIONS (Continued)

30-002

- c. (2) “County of Jurisdiction” means the county where the court with jurisdiction over the dependency, wardship, or guardianship of a child is located.
- (3) “County of Residence” means the county in which the child resides.
(Continued)
- e. (2) “Emancipated Youth” means, young adults who are former foster/probation children who have left foster care because they have reached at least 18 years of age and up to the day prior to their 21st birthday. (Continued)
- i. (1) ~~Reserved~~ “Independent Living Program (ILP)” means the program, as defined in Section 477 of the Social Security Act, administered by counties with oversight by the Department to provide services and activities to assist eligible children up to the day prior to their 21st birthday to prepare them to live independently.
- (2) “Independent Living Program Coordinator” means the individual who is either an employee of the county or its designee/contractor and who is responsible for administering the Independent Living Program. (Continued)
- l. (1) ~~Reserved~~ “Legally Emancipated Minor” means, for the purpose of the Independent Living Program, a youth under 18 years of age who has left foster care because he/she has reached emancipation by meeting any of the following:
 - (A) The person has entered into a valid marriage whether or not the marriage has been dissolved;
 - (B) The person is on active duty with the armed forces of the United States;
or
 - (C) The person has received a declaration of emancipation pursuant to Family Code Section 7000. (Continued)
- t. (1) ~~Reserved~~ “Transitional Independent Living Plan (TILP)” means the written service delivery plan, available on the Child Welfare Services Case Management Services (CWS/CMS) that identifies the youth’s current level of functioning, emancipation goals and the specific skills needed to prepare the youth to live independently upon leaving foster care. The plan is mutually agreed upon by the youth and the social worker/probation officer. (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code and Assembly Bill 1695, Section 21.

Reference: Sections 300, 300(c), 300(e), 306(b), 309(d) (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 319 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 309(d), 319(f), 358.1(b), 358.3(b), 361.2(h), 361.3(a)(8), 361.4(a)(3)(A), (b), and (c), 362.7, 366.22, 366.3(e)(4) and (e)(8), 391, 706.6(o), 727, 727.2, 727.3, 11402, and 16507.5(b) (as amended by AB 1695, Chapter 653, Statutes of 2001), 361, 361.2 and 361.3 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), (Section 361.3 was further amended by AB 2773, Chapter 1056, Statutes of 1998), 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 10609.4, 11400(a), 11467.1, 16501(a)(3), 16501.1(e)(9) (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 16501.1(f)(7), 16501.5, 16503, 16504, 16506, 16506(c), 16516.5, 16520, 16521, 17736, and 18951(d), Welfare and Institutions Code; Section 11165 et seq., Penal Code; Section 265, Civil Code; 42 U.S.C. Section 675, 675.5 and 677; Sections 1502, 1502(a)(8), 1505.2 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 1522, 1522.06, and 1530.8, Health and Safety Code; 45 CFR 233.120; 42 U.S.C. 675(5); Sections 7000, 7901, 7911, 7911.1, and 7912, Family Code; and Public Law 105-89 (Adoption and Safe Families Act of 1977).

Adopt Chapter 30-500 and Section 30-501 to read:

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| <u>Chapter 30-500</u> | <u>SERVICE PROGRAM NO. 5 INDEPENDENT LIVING PROGRAM</u> | <u>30-500</u> |
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| <u>30-501</u> | <u>GENERAL</u> | <u>30-501</u> |
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- .1 The purpose of the Independent Living Program is to provide services and activities to assist all eligible youth to prepare to live independently.
- .2 Independent Living Programs shall be designed to deliver services and utilize funds only for the purposes specified in this chapter.
- .3 Independent Living Program funds shall not be used to supplant any other funds which are available for the same general purpose.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 366, 706.6, 727.2 and .3, 10609.4, 16501, and 16501.5, Welfare and Institutions Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-502 to read:

30-502 SPECIAL DEFINITIONS

30-502

(a) Reserved

(b) Reserved

(c) (1) “County Plan” means, for the purpose of the Independent Living Program, a written document that describes the county programs goals and objectives to meet the services needs and activities of ILP youth.

(d) Reserved

(e) Reserved

(f) (1) “Foster Care” means “24 hour substitute care for children placed away from their parents or guardians and for whom the state or county agency has placement and care responsibility. A child is considered to be in foster care, for the purposes of the ILP, if he/she is likely to remain in foster care until age 18.

(g) Reserved

(h) Reserved

(i) Reserved

(j) Reserved

(k) Reserved

(l) Reserved

(m) Reserved

(n) Reserved

(o) Reserved

(p) Reserved

(q) Reserved

(r) Reserved

(s) Reserved

(t) Reserved

(u) Reserved

(v) Reserved

(w) Reserved

(x) Reserved

(y) (1) “Youth” means, for the purpose of the Independent Living Program, children 16 years of age up to the day prior to their 21st birthday.

(z) Reserved

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code; and Section 1559.110, Health and Safety Code.

Reference: Sections 366, 706.6, 727.2 and .3, 10609.4, 16501, and 16501.5, Welfare and Institutions Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-503 to read:

30-503 COUNTY PLANS AND REPORTING REQUIREMENTS

30-503

- .1 County agencies shall collect and report client data, program activities, and costs including, but not limited to, the SOC 405A and the Annual ILP Narrative Report and Plan. These reports shall confirm that expenditures were specific to the purpose of ILP and meet federal and state requirements against fraud and abuse. The counties shall also include a plan for program improvements.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 366, 706.6, 727.2 and .3, 10609.4, 16501, and 16501.5, Welfare and Institutions Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-504 to read:

30-504 SERVICE DELIVERY METHODS

30-504

- .1 Independent living services shall be provided to all eligible youth, based on the needs, services and goals identified in the most recently completed Transitional Independent Living Plan (TILP).

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 366, 706.6, 727.2 and .3, 10609.4, 16501, and 16501.5, Welfare and Institutions Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-505 to read:

30-505 ELIGIBILITY STANDARDS

30-505

- .1 Eligibility for the ILP shall be determined pursuant to the requirements set forth in Section 31-525. Eligibility shall not be determined by outside agencies such as contractors and vendors.

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- .11 Welfare and Institutions Code Section 16501(c) specifies, in part, as follows:

- .111 Counties shall not contract for needs assessment, client eligibility determination, or any other activity as specified by regulations of the State Department of Social Services, except as specifically authorized in Section 16100.

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Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16501(c), Welfare and Institutions Code; and 42 U.S.C. Section 677.

Adopt Section 30-506 to read:

30-506 COUNTIES' RESPONSIBILITIES

30-506

- .1 Counties shall administer the county Independent Living Plan (ILP) and shall adhere to all reporting requirements including, but not limited to, the SOC 405A and the Annual ILP Narrative Report and Plan.
- .2 The county of jurisdiction shall be financially responsible for provision of ILP services for eligible foster/probation youth.
- .3 The county of an emancipated youth's last jurisdiction shall be financially responsible for provision of the ILP.
- .4 The county in which the youth resides shall ensure that eligible youth are given the opportunity to participate in the ILP regardless of whether the youth is residing in their county of jurisdiction. This also applies to emancipated youth who are awaiting the county of last jurisdiction to complete the fiscal and/or administrative process to fund the ILP services that they are receiving.
 - .41 For dependent youth or wards placed out of county, the county of the youth's jurisdiction shall collaborate with the county of placement to ensure that eligible youth receive ILP core services, based upon the youth's most recent TILP. These ILP core services shall be initiated at least 10 working days from the date of the most recently completed TILP, or as soon as practically possible, as documented in the TILP.
 - .42 The county of residence shall collaborate with the county of last jurisdiction to provide emancipated youth with ILP core services within 10 working days from the date of most recently completed TILP and/or the youth's written request for services, or as soon as practically possible, as documented by the county of residence.
 - .43 The ILP of the county of residence shall, within 72 hours or sooner if needed, provide referral services to emancipated youth who have an immediate, urgent, need for food, shelter or clothing services.
 - .44 No core services shall be denied or delayed to an eligible youth because the county of jurisdiction has not completed the fiscal and/or administrative process to fund ILP services.
- .5 Counties shall offer and provide ILP core services as identified in MPP Section 31-236 to emancipated youth, legally emancipated minors, and KinGap youth who are otherwise eligible.

- .6 Counties shall collaborate with other public and private agencies to ensure the availability of core services identified in MPP Section 31-525 and shall not duplicate or replace services that are available through other agencies, programs or funding sources.
- .7 Counties shall expend not more than 30% of their ILP allocation, for a fiscal year, for room and board for eligible emancipated youth up to 21 years of age.
- .8 Counties shall ensure that none of their ILP allocation will be expended for room and board for any child who has not attained 18 years of age.
- .9 Counties shall ensure that benefits, services, and treatment are fair and equitable to all eligible youth and shall provide core services as identified in MPP Section 31-525 based on individual needs and goals as documented in the TILP.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 358.1(b), 366, 706, 727.2, 11215, 16500.1, 16500.5, 16501, 16502.1, and 18987.6, Welfare and Institutions Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-507 to read:

30-507 EMANCIPATED YOUTH STIPEND

30-507

- .1 Independent Living Program (ILP) Coordinators may utilize the Emancipated Youth Stipend to provide assistance to emancipated youth who are eligible for the ILP pursuant to Welfare and Institutions Code Section 10609.3.

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- .11 Welfare and Institutions Code Section 10609.3(e) states:

"(1) Effective July 1, 2000, the department, in consultation with the Independent Living Program Strategic Planning Committee, shall develop and implement a stipend to supplement and not supplant the Independent Living Program. To qualify for this stipend, a youth shall be otherwise eligible for the Independent Living Program, have been emancipated from foster care to live on his or her own, and be approved by the county. The stipend may provide for, but not be limited to, assisting the youth with the following independent living needs:

"(A) Bus passes.

"(B) Housing rental deposits and fees.

"(C) Housing utility deposits and fees.

"(D) Work-related equipment and supplies.

"(E) Training-related equipment and supplies.

"(F) Education-related equipment and supplies.

"(2) Notwithstanding Section 10101, the state shall pay 100 percent of the nonfederal costs associated with the stipend program in paragraph (1), subject to the availability of funding provided in the annual Budget Act."

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Authority Cited: Sections 10533 and 10544, Welfare and Institutions Code.

Reference: Section 10609.3(e)(1), Welfare and Institutions Code.

Adopt Chapter 30-900 and Section 30-900 to read:

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| <u>CHAPTER 30-900</u> | <u>SERVICE PROGRAM NO. 9: TRANSITIONAL HOUSING PLACEMENT PROGRAM</u> | <u>30-900</u> |
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| <u>30-900</u> | <u>GENERAL</u> | <u>30-900</u> |
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.1 Services provided under this program shall be directed to the achievement of goals I, II, III, and IV designated in MPP Section 30-001.21.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10609.3, 11403.2, and 16522(a), Welfare and Institutions Code.

Adopt Section 30-901 to read:

30-901 SPECIAL DEFINITIONS

30-901

- (a) (1) "Agency" means the licensee or the county-certified Transitional Housing Placement Program (THPP) provider.
- (2) "Agency Amount" means that portion of the THPP rate the agency may retain for the proper and efficient administration of the Transitional Housing Placement Program.
- (b) (1) "Budget" means the itemized list of expenses that describes the use of the rate amount for THPP participants and/or THP-Plus tenants.
- (c) (1) "County Certificate of Approval" means the document issued by the county that indicates approval and authorization of an agency's THPP plan.
- (d) (1) "Department-Approved County THPP Plan" means a county THPP plan that is submitted by the county to, and approved by, the Department.
- (e) Reserved
- (f) (1) "Facility" means all components of the THPP facility including administrative functions and the operation of the THPP unit.
- (g) Reserved
- (h) Reserved
- (i) Reserved
- (j) Reserved
- (k) Reserved
- (l) (1) "Licensee" means the entity licensed by Community Care Licensing that has the authority and responsibility for the operation of the THPP facility for dependent foster/probation children pursuant to Welfare and Institutions Code Section 11403.2(a)(1).
- (m) Reserved
- (n) Reserved
- (o) Reserved

- (p) Reserved
- (q) Reserved
- (r) (1) "Rental Amount" means the monthly cost of procuring a THPP unit."
- (s) (1) "Social Work Administrative Costs" means those non-federally allowable expenses attributable to the duties of social workers employed by licensees to provide services to THPP participants.
- (2) "Supportive Transition Emancipation Program (STEP)/Transitional Housing Program-Plus (THP-Plus) Transitional Independent Living Plan (TILP)" means the form STEP 8 designed by the Department upon which the tenant describes his/her current level of functioning, emancipation goals, and skills needed to facilitate a successful transition to adulthood.
- (t) (1) "Tenant" means a young adult who is a former foster/probation youth and who is participating in a THP-Plus pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- (2) "Transitional Housing Placement Program (THPP)" means a community care facility licensed by the Department and includes all components of the program that provides supervised housing and supportive services for eligible dependent foster/probation youth as specified in Welfare and Institutions Code Section 11403.2(a)(1).
- (3) "Transitional Housing Placement Program (THPP) Participant" means a dependent foster/probation youth placed in a THPP unit as specified in Welfare and Institutions Code Section 11403.2(a)(1); and may also be referred to in these regulations as "participant."
- (4) "Transitional Housing Placement Program (THPP) Unit" means the residence where the participant or tenant resides; and may also be referred to in these regulations as "unit."
- (5) "Transitional Housing Program – Plus (THP-Plus)" means a transitional housing placement program not licensed by the Department, but, certified by counties to provide housing and supportive services, as needed, to THP-Plus tenants pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- (6) "THP-Plus Agency" means a county-certified agency that provides transitional housing for young adults who are emancipated foster/probation youth to age 21 pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- (u) Reserved

(v) Reserved

(w) Reserved

(x) Reserved

(y) (1) "Youth Allowance" means that portion of the rate paid by the provider to each foster/probation youth participating in the THPP pursuant to Welfare and Institutions Code Section 11403.2(a)(1).

(z) Reserved

Authority Cited: Sections 10553, and 10554, Welfare and Institutions Code; and Section 1559.110, Health and Safety Code.

Reference: Sections 366, 706.6, 727.2 and .3, 11403(a)(2), 10609.4, 16501, and 16501.5, Welfare and Institutions Code; Section 1559.110, Health and Safety Code; and 42 U.S.C. Sections 675 and 677.

Adopt Section 30-902 to read:

30-902 TRANSITIONAL HOUSING PLACEMENT PROGRAM
(THPP) PURPOSE

30-902

- .1 The purpose of the Transitional Housing Placement Program (THPP) is to provide independent living opportunities for eligible participants to practice life skills in a safe environment to ease the transition from dependence to self-sufficiency through supervised housing and supportive services.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522, Welfare and Institutions Code and Section 1559.110(f), Health and Safety Code.

Adopt Section 30-903 to read:

30-903 PERSONS SERVED BY TRANSITIONAL HOUSING
PLACEMENT PROGRAM (THPP)

30-903

- .1 Participants of THPP are those eligible children 16 to 18 years of age (except as provided in Welfare and Institutions Code Section 11403) who are eligible for AFDC-Foster Care benefits and who meet the requirements of Welfare and Institutions Code Section 16522.2(a).

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403 and 16522.2(a), Welfare and Institutions Code.

Adopt Section 30-904 to read:

30-904 TRANSITIONAL HOUSING PLACEMENT PROGRAM
(THPP) RATES

30-904

- .1 Pursuant to Welfare and Institutions Code Section 11403.3(a)(1), a county whose THPP plan has been approved by the Department prior to June 30, 2001 is approved to receive the base rate approved as of that date. If a county did not have an approved THPP plan as of June 30, 2001, the base rate per participant will be \$2,100 per month. A county may elect to pay an additional amount according to the following:
 - .11 The additional amount shall not cause the total rate to exceed 75% of the average AFDC-FC payment the county pays to group homes for foster youth 16 to 18 years of age.
 - .12 Funding of the additional amount shall be subject to the sharing ratios as specified in Welfare and Institutions Code Section 15200(c).
 - .13 The state portion of the additional amount shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
 - .14 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the additional amount.
- .2 The county may pay the agency a rate less than the rate approved by the Department.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403.3(a)(1) and (b), Welfare and Institutions Code.

Adopt Section 30-905 to read:

30-905 TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP) 30-905
LICENSING REQUIREMENTS

- .1 All THPP agencies that have the authority and responsibility for the operation of the THPP facility for dependent foster/probation children pursuant to Health and Safety Code Section 1559.110(a) shall be licensed by the Department's Community Care Licensing Division.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 1559.110(a), Health and Safety Code.

Adopt Section 30-906 to read:

30-906 TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP)
COUNTY PLANS

30-906

.1 Counties that intend to certify THPP agencies shall:

- .11 Provide CDSS with the information required to set a rate pursuant to Welfare and Institutions Code Section 11410.
- .12 Develop and submit a plan to CDSS which meets the requirements of Welfare and Institutions Code Sections 16522-16522.6 including, but not limited to, the following information:
 - (A) Projected caseload;
 - (B) Modes of service delivery the county intends to use;
 - (C) Estimated per-participant monthly budget which will not exceed the approved county rate;
 - (D) A plan for providing reports including statistical, budgetary, occupancy, and Transitional Independent Living Plan (TILP) data to the Department;
 - (E) A plan for providing oversight, evaluation, and monitoring of the programs the county certifies pursuant to Section 30-910 (Reporting Requirements);
 - (F) Assurances that the program serves only eligible children 16 to 18 years of age (except as provided in Welfare and Institutions Code Section 11403) who are eligible for AFDC-Foster Care benefits and who meet the requirements of Welfare and Institutions Code Section 16522.2;

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(1) Welfare and Institutions Code Section 16522.2 states:

"Persons may participate in the supervised transitional housing placement programs only with the permission of both the independent living program of the county in which the program is located and the county department of social services or the county probation department that has custody of that person."

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- (G) Assurances that the program will not discriminate on the basis of race, gender, sexual orientation, or disability; and that youths who are wards of the court under Welfare and Institutions Code Section 602 and/or receiving psychotropic medications shall be eligible for consideration in the program and shall not be automatically excluded due to these factors;
- (H) Assurances that the county Independent Living Program (ILP) coordinator shall participate in the screening of THPP candidates and assist the licensee in the supervision of the participants;
- (I) Assurances that the housing utilized by the program is served by public transportation to enable participants' reasonable access to schools, employment, appropriate supportive services, shopping and medical care;
- (J) A description of how services and assistance will be provided to enable participants to meet their TILP emancipation goals pursuant to Section 31-236;
- (K) A description of the county's standards for certification of agency programs that, at a minimum, includes the certification standards described in Section 30-911; and
- (L) A description of the participant application process.

.2 County THPP plans shall be reviewed by the Department and be approved based upon the criteria set forth in Section 30-906.12 et seq. Upon receipt of the Department's letter of approval, the county may review and certify agency plans.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 16522.1, 16522.2, 16522.5, and 16522.6, Welfare and Institutions Code and Sections 1559.110 and 1159.115, Health and Safety Code.

Adopt Section 30-907 to read:

30-907 TRANSITIONAL HOUSING PLACEMENT PROGRAM
(THPP) SERVICE DELIVERY METHODS

30-907

- .1 The three modes of program service delivery are those that allow participants to live:
- .11 In an apartment, single-family dwelling, or condominium with an adult employee of the provider,
- .12 In an apartment, single-family dwelling, or condominium rented or leased by the provider located in a building in which one or more adult employees of the reside and provide supervision, and
- .13 To live independently in an apartment, single-family dwelling, or condominium rented or leased by a provider, if the Department provides approval and the participants are supervised by the agency's employees.
- .2 These three modes include the "host site family" and "remote site" models as described in the California Code of Regulations (CCR) Title 22, Sections 86001(h)(3) and (r)(1).

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- .21 CCR Title 22 Sections 86001(h)(3) and (r)(1) state:

- (h)(3) "Host Family" is a variant of the remote site model and means a living situation where the THPP participant resides in a single housing unit with one or more adults approved by the THPP."
- (r)(1) "Remote Site Model" means a single housing unit where the participant lives independently and where licensee staff do not live in the same building as the participant."

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Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522(d), Welfare and Institutions Code.

Adopt Section 30-908 to read:

30-908 PERMISSION NECESSARY FOR TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP) PARTICIPATION 30-908

- .1 The county department of social services or the county probation department that has custody of the child and the ILP coordinator in the county in which the child is placed must approve the child's placement into THPP.
- .2 Review of a child's TILP for appropriateness of the THPP placement is necessary prior to approval of the child's placement.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522, Welfare and Institutions Code.

Adopt Section 30-909 to read:

30-909 TRANSITIONAL INDEPENDENT LIVING PLANS (TILPs) 30-909
FOR TRANSITIONAL HOUSING PLACEMENT PROGRAM
(THPP) PARTICIPANTS

.1 Transitional Independent Living Plans (TILP) for participants shall meet the
requirements of Section 31-236.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 366.3, 706.6, 11155.5, and 16501.1, Welfare and Institutions
Code.

Adopt Section 30-910 to read:

30-910 TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP) 30-910
REPORTING REQUIREMENTS

- .1 Counties shall prepare an annual report in the format required by the Department including, but not limited to, expenditures, occupancy, and participant data. Upon request, counties shall also supply information, in addition to that in the annual report, to the Department as needed.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522.6, Welfare and Institutions Code.

Adopt Section 30-911 to read:

30-911 TRANSITIONAL HOUSING PLACEMENT PROGRAM (THPP) 30-911
CERTIFICATION STANDARDS

.1 Each THPP agency's program plan shall, at a minimum, include the following:

- (a) Assurances that the program will only serve eligible participants as defined in Section 30-903.1;
- (b) Assurances that the program will not discriminate on the basis of race, gender, sexual orientation, or disability and that youth who were wards of the court as described in Welfare and Institutions Code Section 602 and youth receiving psychotropic medications shall be eligible for consideration in the program and shall not be automatically excluded due to these factors;
- (c) Admission criteria for participants, including:
 - (1) Age,
 - (2) Previous placement history,
 - (3) Delinquency history,
 - (4) Medical problems,
 - (5) History of drug/alcohol abuse,
 - (6) Level of education,
 - (7) Mental health history, and
 - (8) Work experience;
- (d) Assurances that each child admitted in to the program has an appropriately updated TILP;
- (e) A description of the agency's THPP with an explanation of how it will assist participants to accomplish the goals described in their TILP;
- (f) Assurances that each participant actively participates in the county ILP program;

- (g) Assurances that the agency employment policies include strict criteria regarding an employee's:
 - (1) Age,
 - (2) Drug/alcohol history,
 - (3) Experience working with this age group,
 - (4) Criminal background checks, and
 - (5) A training program to educate employees about characteristics of persons in this age group placed in long-term care settings, and designed to ensure these employees can adequately supervise and counsel participants and provide them with training in independent living skills;
- (h) A detailed plan for:
 - (1) Monitoring the placement of persons under the agency's care,
 - (2) Evaluating the participant's progress in the program, and
 - (3) Reporting to the ILP and to the county agency with jurisdiction;
- (i) Assurances that participants will be allowed the greatest amount of freedom possible and appropriate for their level of functioning in order to prepare them for self-sufficiency;
- (j) Assurances that the housing is served by public transportation to enable the participant's reasonable access to schools, employment, appropriate supportive services, shopping, and medical care;
- (k) Assurances that the agency shall collaborate with counties, social workers/probation officers, ILP coordinators, Student Aid Commission, Employment Development Department (EDD) One-Stop Career Centers, and other agencies and programs to provide support and services to enable the participants to complete the goals outlined on the TILP;
- (l) Assurances that every participant is enrolled with an EDD federal Job Training and Partnership Act (JTPA) Regional One-Stop Career Center;
- (m) A twenty-four hour emergency number provided to each participant;
- (n) A description of how each participant's progress will be evaluated;

- (o) A description of efforts that will be made to track participants for at least two years after leaving the program;
- (p) A description of efforts that will be made to link participants with mentors;
- (q) A description of policies regarding:
 - (1) Education requirements,
 - (2) Visitors,
 - (3) Savings requirements,
 - (4) Personal safety,
 - (5) Emergencies,
 - (6) Medical problems,
 - (7) Disciplinary measures,
 - (8) Child care,
 - (9) Pregnancy,
 - (10) Curfew,
 - (11) Budgeting,
 - (12) Dating,
 - (13) Housekeeping,
 - (14) Decorating,
 - (15) Use of utilities/phone,
 - (16) Care of furnishings,
 - (17) Transportation and vehicles,
 - (18) Unauthorized purchases,
 - (19) Work expectations,
 - (20) Lending/borrowing money,

- (21) Grounds for termination that may include, but shall not be limited to, illegal activities or harboring runaways.
 - (22) Disposition of furnishings when participants exit the program, and
 - (23) Incorporation of applicable provisions of Welfare and Institutions Code Section 16522.1;
- (r) The budget form designed by the Department indicating the rate approved by the county that shall be equal to or lower than the rate approved for the county by the Department. It shall include the following six categories:
 - (1) Administrative salaries and overhead;
 - (2) Direct care staff;
 - (3) Social worker;
 - (4) Social work supervision;
 - (5) Administration attributable to social worker; and
 - (6) A youth allowance that includes, but is not limited to:
 - (A) Telephone,
 - (B) Rent,
 - (C) Food,
 - (D) Clothing,
 - (E) Transportation cost,
 - (F) Miscellaneous expenses, and
 - (G) Utilities;
- (s) Any participant funds retained by the provider on behalf of the participant shall be deposited in an interest bearing savings account in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The principal and interest shall be distributed to the participant when he/she leaves the program or earlier if permitted by the THP program guidelines.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522.1, Welfare and Institutions Code; and Sections 1559.110 and 1559.115, Health and Safety Code.

Adopt Section 30-912 to read:

30-912 TRANSITIONAL HOUSING PROGRAM-PLUS (THP)-PLUS 30-912
PROGRAM PURPOSE

- .1 The purpose of the Transitional Housing Program–Plus (THP-Plus) is to assist emancipated youths as they move from dependency to self-sufficiency by providing youths with housing and supportive services.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 16522, Welfare and Institutions Code and Sections 1559.110 and 1559.115, Health and Safety Code.

Adopt Section 30-913 to read:

30-913 PERSONS SERVED BY THE TRANSITIONAL HOUSING
PROGRAM (THP)-PLUS

30-913

- .1 Transitional Housing Program-Plus tenants are young adults who are former foster/probation youth who have emancipated from a county that has elected to participate in THP-Plus. THP-Plus tenants shall be at least 18 years of age and not yet 21 years of age, and shall be pursuing county-approved goals utilizing the Department-developed STEP/THP-Plus TILP.
- .2 Tenants may remain in THP-Plus for a maximum of twenty-four cumulative months.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403.2(a)(2) and 16522, Welfare and Institutions Code and Section 1559.110(f), Health and Safety Code.

Adopt Section 30-914 to read:

30-914 TRANSITIONAL HOUSING PLAN (THP)-PLUS RATES

30-914

- .1 Pursuant to Welfare and Institutions Code Section 11403(a)(2), the per tenant monthly rate may not exceed 70% of the average AFDC-FC payment the county pays to group homes for foster youth 16 to 18 years of age, contingent upon the following conditions:
 - .11 Funding shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
 - .12 The state portion of the rate shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
 - .13 If the Transitional Housing for Foster Youth Fund is depleted, unless other arrangements have been made with the agency, the county shall pay the state share of the rate in addition to the county share.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403(a)(1) and 15200(c), Welfare and Institutions Code.

Adopt Section 30-915 to read:

30-915 TRANSITIONAL HOUSING PROGRAM (THP)-PLUS
COUNTY PLANS

30-915

- .1 Prior to implementing a THP-Plus plan, the county shall:
 - .11 Provide CDSS with the information required to set the rate pursuant to Section 11-410.2.
 - .12 Develop and submit a plan to CDSS which meets the requirements of Welfare and Institutions Code Sections 16522 through 16522.6 including, but not limited to, the information specified below:
 - .121 Projected caseload;
 - .122 Modes of service delivery the county intends to use;
 - .123 Estimated per-participant monthly budget which shall not exceed the approved county rate;
 - .124 A plan for providing reports to the Department, including statistical, budgetary, occupancy, and TILP data to CDSS;
 - .125 A plan for providing oversight, evaluation, and monitoring of the programs the county certifies pursuant to MPP Section 30-919;
 - .126 A description of the county's standards for certification of THP-Plus agency programs that, at a minimum, includes the certification standards described in MPP Section 30-920.
 - .13 Ensure that each THP-Plus tenant has a STEP/THP-Plus TILP mutually agreed upon, annually reviewed, and updated by the tenant and the county designee.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403.2, 16522, 16522.1, 16522.2, 16522.5, and 16522.6, Welfare and Institutions Code; and Sections 1559.110 and 1559.115, Health and Safety Code.

Adopt Section 30-916 to read:

30-916 TRANSITIONAL HOUSING PROGRAM-PLUS
(THP-PLUS) SERVICE DELIVERY METHODS

30-916

- .1 Programs certified under these regulations shall be designed to provide a safe and adequate residence and allow participants a maximum amount of independence and self-sufficiency.
- .11 Acceptable residential units include apartments, single family dwellings, condominiums, college dormitories, and host family models.
- .12 Publicly supervised or privately operated shelters, or other living situations including those with friends, family members and others that provide temporary accommodation are not acceptable.
- .13 Public or private places not ordinarily used as a regular sleeping area, are not acceptable.
- .14 Group homes and other types of licensed residential facilities may not be utilized by a THP-Plus provider as accommodations for emancipated foster youth.
- .2 Counties shall ensure that THP-Plus agencies shall collaborate with counties, social workers/probation officers, ILP coordinators, Student Aid Commission, EDD One-Stop Career Centers, and other agencies and programs to provide support and services to enable the tenants to complete the goals outlined on the STEP/THP-Plus TILP.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403.2 and 1896.6, Welfare and Institutions Code.

Adopt Section 30-917 to read:

30-917 TRANSITIONAL HOUSING PROGRAM-PLUS
(THP)-PLUS TENANT RESPONSIBILITIES

30-917

- .1 Tenants shall actively pursue the goals of their TILPs as a condition of participation. Also, they must inform the county when changes need to be made on the TILPs that affect payment of aid, including changes in address, living circumstances, educational, career, and training programs.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 11403.2(a)(2), Welfare and Institutions Code.

Adopt Section 30-918 to read:

30-918 SUPPORTIVE TRANSITION EMANCIPATION PROGRAM
TRANSITIONAL HOUSING PROGRAM (STEP/THP)-PLUS
LIVING PLANS

30-918

- .1 Every tenant shall develop and pursue goals described in a STEP/THP-Plus TILP. This document shall describe a tenant's current level of functioning and contains the educational/vocational or other goals related to self-sufficiency mutually agreed upon by the tenant and the county designee.
- .11 The activities and services described in the STEP/THP-Plus TILP shall be designed to achieve the following goals as needed:
- (a) Education (literacy, high school diploma/GED, college, and vocational training),
 - (b) Completion of application for college, vocational training program, or other educational or employment program,
 - (c) Gainful employment (career exploration, work readiness skills, employment experience, and job placement and retention),
 - (d) Receipt of information regarding various employment and training services provided through the Employment Development Department (EDD) One-Stop Career Centers, and registered at an EDD One-Stop Career Center,
 - (e) Development of daily living skills (including household management, budget and financial management skills, knowledge of landlord/tenant issues, self-advocacy skills, credit issues, transitional housing placement program experience, knowledge of how to obtain vital records),
 - (f) Knowledge of preventive health activities (including substance abuse prevention, smoking avoidance, nutrition education, pregnancy prevention),
 - (g) Acquisition of safe and affordable housing,
 - (h) Development of a mentoring relationship with a responsible adult,
 - (i) Personal responsibility skills,
 - (j) Receipt of important documents, including, but not limited to:

- (1) Certified birth certificate;
- (2) Social security card;
- (3) Identification card and/or driver's license;
- (4) Proof of citizenship or residency status;
- (5) Death certificate of parent(s) (if applicable);
- (6) Proof of county dependency status for education aid applications, school records, immunization records, medical records, and Health and Education Passport.
- (k) Mental health counseling.
- (l) Completion of the application for Special Immigrant Juvenile Status (SIJ) pursuant to the 8 Code of Federal Regulation (CFR) Section 204.11 or other naturalization process for undocumented aliens.
- (m) A driver's license,
- (n) A work permit,
- (o) A bank account,
- (p) Names, phone numbers and addresses of relatives,
- (q) Completed re-application for Medi-Cal,
- (r) Information and completed applications for sources of financial support such as emancipation stipends, SSI, TANF, STEP, THP-Plus, scholarships and grants.
- (s) Referral to appropriate county adult social services agencies, as needed.

.2 Counties shall review and update the STEP/THP-Plus TILP at least annually.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 11403.2, Welfare and Institutions Code.

Adopt Section 30-919 to read:

30-919 TRANSITIONAL HOUSING PROGRAM (THP)-PLUS
REPORTING REQUIREMENTS

30-919

- .1 Counties shall prepare an annual report on the format required by the Department including, but not limited to, expenditures, occupancy, and STEP/THP-Plus TILP data. Upon request, counties shall also supply information, in addition to that in the annual report, to the Department as needed.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11403.2 and 16522.6, Welfare and Institutions Code.

Adopt Section 30-915 to read:

30-920 TRANSITIONAL HOUSING PROGRAM (THP)
-PLUS CERTIFICATION STANDARDS

30-920

.1 Each THP-Plus agency's program plan shall, at a minimum, ensure that:

- (a) The program will only serve eligible tenants as defined in MPP Section 30-900.13.
- (b) The program shall not discriminate on the basis of race, gender, sexual orientation, or disability (Welfare and Institutions Code Section 16522.1(a)(1)) and that youth who were wards of the court as described in Welfare and Institutions Code Section 602 and youth receiving psychotropic medications shall be eligible for consideration in the program and shall not be automatically excluded due to these factors.
- (c) The agency shall, with the assistance of a county designee, assist each tenant to complete the STEP/THP-Plus TILP form designed by the Department.
- (d) The program describes how it will assist tenants to live independently and to accomplish the goals described in their STEP/THP-Plus TILP.
- (e) The STEP/THP-Plus TILP is updated at least annually and as needed to reflect necessary changes.
- (f) Tenants shall be allowed the greatest amount of freedom possible in order to prepare them for self-sufficiency.
- (g) The housing has reasonable transportation access to schools, employment appropriate supportive services, shopping and medical care.
- (h) Criminal record clearances shall be required for all agency employees.
- (i) Programs shall comply with applicable federal, state, and local housing laws and fire clearance requirements.
- (j) No more than two tenants share a bedroom.

- (k) Tenants have the right to be free from arbitrary or capricious rules; the right to understand all rules in writing and in appropriate languages and formats, the right to appeal any loss of benefits or services before they are suspended (unless imminent physical harm to someone would result); and the right to a grievance procedure.
- (l) Tenants' right to confidentiality is respected. This right applies to the dissemination, storage, retrieval and acquisition of identifiable information. The agency shall not release information about a tenant's receipt of services without a written release from the tenant.
- (m) Tenants' right to privacy is respected. Information shall be requested from the tenant only when the information is specifically necessary for the provision of services. Tenants shall not be required to supply information as a condition of obtaining services without written documentation verifying the necessity of the information.
- (n) The functions of property management and service provider shall not be blended. The program plan shall clearly define the roles and responsibilities of each part of the organization.
- (o) The agency shall comply with California landlord-tenant law (Civil Code Section 1940, et seq.) and/or the Transitional Housing Misconduct Act (Health and Safety Code Section 50580, et seq.).
- (p) If medical services are needed by tenants, these services shall be provided by a medical professional or an appropriately licensed (or otherwise legally operating – e.g. county) clinic or adult day health center that may offer services off-site or through a home visit program, including services which are made available on a regularly scheduled basis on-site.
- (q) Tenants are given a choice regarding what services to access and the location of the services (on-site or offsite), as long as the goals of the STEP/THP-Plus TILP are being met.
- (r) The THP-Plus program is clearly distinguishable from those that are required to be licensed as an Adult Residential Care facility under Health and Safety Code Section 1502(a)(1) or Health and Safety Code Section 1503.5(a).
- (s) Applicable provisions of Welfare and Institutions Code Section 16522.1 are incorporated.
- (t) A description of the tenant application process and the selection criteria are included.

- (u) Any tenant funds retained by the provider on behalf of the tenant shall be deposited in an interest bearing savings account in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The principal and interest shall be distributed to the tenant when he/she leaves the program, or earlier, if permitted by the THP-Plus program guidelines.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 602, 11403.2, and 16522.1, Welfare and Institutions Code; Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 50580, Health and Safety Code; and Sections 1940, et seq. Civil Code.

Amend Section 31-002 to read:

31-002 DEFINITIONS (Continued)

31-002

- (c) (27) “County of Residence” means the county in which the child resides.
- (28) “County Plan” means, for the purpose of the Independent Living Program, a written document for the federal fiscal year that describes the county programs, goals and objectives to meet the services needs and activities of ILP youth.
- (269) (Continued)
- (27 30) (Continued)
- (28 31) (Continued)
- (e) (2) “Emancipated Youth” means, young adults who are former foster/probation children who have left foster care because they have reached at least 18 years of age and up to the day prior to their 21st birthday.
- (23) (Continued)
- (34) (Continued)
- (45) (Continued)
- (56) (Continued)
- (67) (Continued)
- (78) (Continued)
- (89) (Continued)
- (9 10) (Continued)
- (101) (Continued)
- (142) (Continued)
- (123) (Continued)

- (f) (7) “Foster Care” means, for purposes of the Independent Living Program (ILP), 24 hour substitute care for children placed away from their parents or guardians and for whom the state or county agency has placement and care responsibility and who are likely to remain in foster care until age 18.
- (78) (Continued)
- (89) (Continued)
- (910) (Continued)
- (i) (1) “Independent Living Program (ILP), as defined in Section 477 of the Social Security Act, means the program administered by counties with oversight by the Department to provide services and activities as described by the childrens' Transitional Independent Living Plans (TILPs) to assist eligible children up to the day prior to their 21st birthday to prepare them to live independently upon leaving foster care. authorized under 42 USC 677 of the Social Security Act for services and activities to assist children age 16 or older in foster care to make the transition from foster care to independent living.
- (A) ~~“Written transitional independent living plan” means a written description of the programs and services, including employment, as appropriate, based on an assessment of the individual child’s skills and abilities, which will help the child prepare for transition from foster care to independent living.~~
- (2) “Independent Living Program Coordinator” means the individual who is either an employee of the county or its designee/contractor and who is responsible for administering the ILP to all eligible youth.
- (23) (Continued)
- (34) (Continued)
- (45) (Continued)
- (56) (Continued)
- (67) (Continued)
- (78) (Continued)

- (l) (1) “Legally emancipated minor” means, for purposes of the Independent Living Program, children under the age of 18 years who have left foster care because they have reached emancipation by meeting any of the following:
- (A) The person has entered into a valid marriage whether or not the marriage has been dissolved;
- (B) The person is on active duty with the armed forces of the United States; or
- (C) The person has received a declaration of emancipation pursuant to Family Code Section 7122.
- (42) (Continued)
- (23) (Continued)
- (t) (4) “Transitional Independent Living Plan (TILP)” means the written service delivery plan, available on the Child Welfare Services/Case Management Services (CWS/CMS) that identifies the youth’s current level of functioning, emancipation goals and the specific skills needed to prepare the youth to live independently upon leaving foster care. The plan is mutually agreed upon by the youth and the social worker/probation officer.
- (45) (Continued)
- (56) (Continued)
- (y) (1) ~~Reserved~~ “Youth” means, for the purposes of the ILP, children who are at least 16 years of age up to the day prior to their 21st birthday.
 (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code and Assembly Bill 1695, Section 21.

Reference:

Sections 300, 300(c), 300(e), 306(b), 309(d) (~~as added by Assembly Bill 1544, Chapter 793, Statutes of 1997~~), 319 (~~as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997~~), 309(d), 319(f), 358.1(b), 358.3(b), 361.2(h), 361.3(a)(8), 361.4(a)(3)(A), (b), and (c), 362.7, 366.22, 366.3(e)(4) and (e)(8), 391, 706.6(o), 727, 727.2, 11402, and 16507.5(b) (~~as amended by AB 1695, Chapter 653, Statutes of 2001~~), 361, 361.2, 361.2(h), and 361.3 (~~as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997~~), (~~Section 361.3 was further amended by AB 2773, Chapter 1056, Statutes of 1998~~), 361.3(a)(8), 361.4(a)(3)(A), (b), and (c), 362.7, 366.22, 366.3(e)(4) and (e)(8), 391, 636.1(c), 706.6(o), 727, 727.2, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 10553, 10554, 11100, 11105, 1108.15, 11155.5, 11400(a), 11402, 11404, 11467.1, 16001.5, 16001.9, 16010 16012, and 16501, 16501(a)(3), 16501.1(e)(9) (~~as added by Assembly Bill 1544, Chapter 793, Statutes of 1997~~), 16501.1(f)(7), 16503, 16504, 16506, 16506(c), 16507.5(b), 16516.5, 16520, 16521, 17736, and 18951(d), Welfare and Institutions Code; Section 11165 et seq., Penal Code; Section 265, Civil Code; 42 U.S.C. Section 675, 675.5 and 677; Sections 1502, 1502(a)(8), 1505.2 (~~as added by Assembly Bill 1544, Chapter 793, Statutes of 1997~~), 1522, 1522.06, and 1530.8, Health and Safety Code; 45 CFR 233.120; 42 U.S.C. 675(5); Sections 7002, 7901, 7911, 7911.1, and 7912, Family Code; and Public Law 105-89 (Adoption and Safe Families Act of 1977).

Amend Section 31-206.37 to read:

31-206 CASE PLAN DOCUMENTATION (Continued)

31-206

.3 (Continued)

.37 For each ~~child~~ youth in placement ~~age~~ 16 years of age or older, the case plan shall incorporate the ~~†~~Transitional ~~‡~~Independent ~~§~~Living ~~¶~~Plan (TILP) ~~information~~ specified in Section 31-~~525.1236~~. (Continued)

Authority cited: Sections 10553, 10554, and 16501.1, Welfare and Institutions Code.

Reference: Sections 358.1(e) (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361, 361(b) (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361.5, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 16002, 16501, 16501.1(e), and 16507, Welfare and Institutions Code; 42 U.S.C. Sections 675(1) and 677; Sections 7901, 7911, 7911.1, and 7912, Family Code; and Sections 1502 and 1502(a)(8), Health and Safety Code.

Adopt Section 31-236 to read:

31-236 TRANSITIONAL INDEPENDENT LIVING PLAN (TILP)

31-236

- (a) For each youth in placement, 15½ and not yet 16 years of age, the social worker/probation officer of the county of jurisdiction shall insure that the youth shall actively participate in the development of the TILP. The TILP describes the youth's current level of functioning; emancipation goals identified in Section 31-236.6; the progress towards achieving the TILP goals; the programs and services needed, including, but not limited to, those provided by the ILP; and identifies the individuals assisting the youth. The TILP shall be reviewed, updated, approved, and signed by the social worker/probation officer and the youth every six months.

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- (1) While foster care providers, ILP staff, and others may administer living skills assessments tests to foster/probation youth, the social worker/probation officer is responsible for utilizing the test results in the TILP to reflect the needs and goals of the youth.

HANDBOOK ENDS HERE

- (1) For youth who entered foster care after their 16th birthday, the TILP shall be completed prior to the Disposition Hearing.
- (2) The social worker/probation officer shall include the TILP in the youth's case plan when submitting documents to the court for determining services at the disposition hearing and each status review hearing prior to the first permanency planning hearing and each permanency planning hearing pursuant to Welfare and Institutions Code Sections 358(b), 358.1, 366.3, 706.5, 727.2(e)(5), and 727.3.
- (3) Counties may develop a TILP for youth younger than 16 years of age in accordance with a county plan.
- (4) The TILP shall be incorporated into the case plan specified in Section 31-206.37.
- (5) The social worker/probation officer shall use a nationally recognized or departmentally-approved assessment tool to assist the youth in developing the TILP.

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- (A) The following are some examples of nationally recognized assessment tools:

Daniel Memorial Institute Independent Living Assessment for Life Skills,, Ansel-Casey Skills Assessment, Phillip Roy Life Skills Curriculum, Community College Foundation Life Skills Assessment Pre and Post Questionnaires.

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- (6) When a goal contained within the TILP is employment, the TILP must state that the purpose of employment is to enable the youth to gain knowledge of work skills, and the responsibilities of maintaining employment pursuant to Welfare and Institutions Code Section 11008.15.
- (b) The social worker/probation officer shall update the TILP at least every six months or when requested by the youth to reflect progress, changes in the youth's level of functioning and modifications made to emancipation goals, programs and services identified in the TILP.
- (c) The social worker/probation officer shall ensure that the initial TILP and each update is signed and dated by the social worker/probation officer and the youth.
- (d) If the youth refuses to cooperate with the social worker/probation officer in the development of the TILP, the social worker/probation officer shall complete the TILP, including the needs and services. This shall include documentation explaining the refusal and reasonable efforts made to obtain the youth's cooperation.
- (e) The social worker/probation officer of the county of jurisdiction shall provide a copy of each completed TILP and its updates to the youth and others who are essential to the completion of the TILP goals.
- (f) The social worker/probation officer shall use the TILP document available on the Child Welfare Services/ Case Management System (CWS/CMS).
- (g) The social worker/probation officer of the county of jurisdiction shall inform youth about the county ILP and encourage them to participate.
- (1) When the appropriate ILP services have been identified, participation in ILP must be documented in the youth's TILP.
- (2) The social worker/probation officer of the county of jurisdiction shall, prior to youth's emancipation, ensure that ILP services are provided as identified in the TILP.

- (3) The social worker/probation officer of the county of jurisdiction shall defer ILP enrollment only if the youth is physically or mentally unable to benefit from the program or if the youth declines to participate. Physical or mental deferments shall be determined by the youth's primary care physician or health/mental health care professional. A redetermination of deferment shall be made at least every six months and documented in the TILP.
- (4) The social worker/probation officer of the county of jurisdiction shall provide, as applicable, the necessary records, referrals and documentation to ensure timely and appropriate ILP service provision and meet the goals and services of the TILP as described in Section 31-236.
- (5) The social worker/probation officer of the county of jurisdiction shall ensure that transportation is provided and/or accessible to enable youth to participate in the ILP.
- (6) The social worker/probation officer of the county of jurisdiction shall work with the youth to ensure that they have access to ILP core services.
- (7) The social worker/probation officer shall ensure that participation in ILP is not used as a punishment or reward.
- (h) The social worker/probation officer shall assist the youth to complete the emancipation preparation goals described in the TILP by collaborating with public and private agencies/persons including but not limited to schools, colleges, the Department of Education, Mental Health, ILP coordinators, care providers, the Student Aid Commission, the Employment Development Department and One-Stop Career Centers.
- (i) The services described in the TILP shall assist, the youth, as applicable, to attain the following emancipation preparation goals:
 - (1) Education attainment including: literacy skills, high school diploma/GED.
 - (2) Management, budget and financial management skills; knowledge of landlord/tenant issues, self-advocacy skills, and credit issues; and knowledge of preventive health activities (including substance abuse prevention, smoking avoidance, nutrition education, pregnancy prevention).
 - (3) Development of a mentoring relationship with a responsible adult.
 - (4) Knowledge of how to acquire and receipt of important documents, including but not limited to:
 - (A) A certified birth certificate;
 - (B) A social security card;

- (C) An identification card and/or driver's license;
 - (D) A proof of citizenship or residency status (for undocumented aliens, receipt of a completed application for Special Immigrant Juvenile Status (SIJ) pursuant to 8 C.F.R. Section 204.11 or other naturalization process);
 - (E) Death certificate(s) of parent or parents;
 - (F) A proof of county dependency status for education aid applications;
 - (G) School records;
 - (H) Immunization records;
 - (I) Medical records;
 - (J) A Health and Education Passport;
 - (K) A work permit;
 - (L) Written information concerning the child's dependency case including: information about the child's family history; the child's placement history;
 - (M) The names, phone numbers and addresses of siblings and other relatives;
 - (N) The procedures for inspecting the documents described under Welfare and Institutions Code Section 827; and
 - (O) Information regarding jurisdiction termination hearings and the potential consequences of a failure to attend.
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- (5) Receipt of mental health counseling, as appropriate.
 - (6) Establishment and maintenance of a bank account including, but not limited to an emancipation savings account.
 - (7) College, vocational training program, or other educational or employment program admittance information, prior to emancipation.

- (8) Gainful employment through the provision of information about and participation in employment and training services provided through the Employment Development Department (EDD) One-Stop Career Centers, and registered at an EDD One-Stop Career Center, including but not limited to: career exploration, work readiness skills, vocational training, employment experience, job placement and retention.
- (9) Receipt/completion of applications for sources of post-emancipation financial support including but not limited to emancipation stipends, Supplemental Security Income (SSI), Transitional Assistance to Needy Families (TANF), Supportive Transitional Emancipation Program (STEP), Transitional Housing Program-Plus (THP-Plus), scholarships and grants, as applicable.
- (10) Referral to appropriate county adult social services agencies, as needed, prior to emancipation.
- (11) Completion of Medi-Cal reapplication, prior to emancipation.
- (12) Acquisition of safe and affordable housing, upon emancipation.
- (j) The social worker/probation officer shall enable the youth to obtain documents identified in the TILP that are necessary to complete the emancipation goals during the first six months of the youth's 16th year or as soon thereafter as is reasonable.
- (k) Social workers/probation officers shall, prior to each withdrawal from the emancipation savings account, include in the TILP their written determination and authorization for the youth to withdraw cash savings necessary for emancipation purposes pursuant to Welfare and Institutions Code Sections 11008.15 and 11155.5.
- (l) If applicable, savings and incentive payments shall be documented in the TILP, and the requirements of Welfare and Institutions Code Sections 11008.15 and 11155.5 shall apply.

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- (1) Welfare and Institutions Code Section 11008.15 specifies:

"Notwithstanding Sections 11008.14 and 11267, the department shall exercise the options of disregarding earned income of a dependent child derived from participation in the Job Training Partnership Act of 1982 (P.L. 97-300), a dependent child who is a full-time student pursuant to the Deficit Reduction Act of 1984 (P.L. 97-369), and a dependent child 16 years of age or older who is a participant in the Independent Living Program pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), providing the child's Independent Living Program case plan states that the purpose of the employment is to enable the child to gain knowledge of needed work skills, work habits, and the responsibilities of maintaining employment."

(2) Welfare and Institutions Code Section 11155.5 specifies:

"(a) In addition to the personal property permitted by other provisions of this part, a child declared a ward or dependent child of the juvenile court, who is age 16 years or older, may retain resources with a combined value of not more than ten thousand dollars (\$10,000), consistent with Section 472(a) of the federal Social Security Act (42 U.S.C. Sec. 672(a)) as contained in the federal Foster Care Independence Act of 1999 (P.L. 106-169) and the child's transitional independent living plan. Any cash savings shall be the child's own money and shall be deposited by the child or on behalf of the child in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The cash savings shall be for the child's use for purposes directly related to emancipation pursuant to Part 6 (commencing with Section 7000) of Division 11 of the Family Code.

"(b) The withdrawal of the savings shall require the written approval of the child's probation officer or social worker and shall be directly related to the goal of emancipation."

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(m) The social worker/probation officer shall consider placement of eligible youth in the THPP subject to the requirements set forth in Welfare and Institutions Code Section 16522(a).

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(1) Welfare and Institutions Code Section 16522(a) states, in part:

(a) "The State Department of Social Services shall adopt regulation to govern transitional housing placement programs that provide supervised housing services to persons at least 16 years of age and not more than 18 years of age, except as provided in section 11403, and who meet all of the following conditions:

"(1) Meet the requirements of section 11401.

"(2) Are in out-of-home placement under the supervision of the county department of social service or the county probation department.

"(3) Are participating in, or have successfully completed an independent living program.

- "(4) Any minor at least 16 years of age and not more than 18 years of age, except as provided in Section 11403, who is eligible for AFDC-Foster Care benefits under this chapter and who meets the requirements in Section 16522.2."

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Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 358, 366, 391, 706.6, 727.2, 727.3, 10553, 10554, 11155.5, 11403.2, 16501, 16501.2, 16501.5, 16522, et seq., and 18987.6, Welfare and Institutions Code and 42 U.S.C. Sections 672(a), 675, and 677.

Amend section title and repeal and adopt Section 31-525 to read:

31-525 INDEPENDENT LIVING SKILLS PROGRAM (ILP)

31-525

- ~~.1~~ For each child in placement, age 16 or older, the social worker shall develop a written transitional independent living plan which describes the programs and services, including employment, as appropriate, which will help the child prepare for the transition from foster care to independent living.
- ~~.11~~ The written transitional independent living plan shall be incorporated into the case plan specified in Section 31-205.47.
 - ~~.111~~ If employment is part of the written transitional independent living plan the case plan must state that the purpose of employment is to enable the child to gain knowledge of needed work skills, work habits, and the responsibilities of maintaining employment.
- ~~.12~~ Independent living services shall be provided, as appropriate, based on the written transitional independent living plan.
- ~~.13~~ A copy of the written transitional independent living plan shall be provided to each child receiving independent living services.
- ~~.15~~ When income and incentive payments are earned as part of the written transitional independent living plan, the requirements of Welfare and Institutions Code Sections 11008.15 and 11155.5 shall also apply.

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- ~~.151~~ Examples of incentive payments are cash, not to exceed \$600 annually, and/or household items, such as, pots and pans, linens, kitchen utensils, or other items to help the child in later establishing a household.

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- ~~.16~~ If transitional independent living services are not appropriate, the social worker shall document in the case plan the reason(s) why they are not appropriate. These services shall be inappropriate only if the child is physically or mentally not able to benefit from such services.
- ~~.17~~ The written transitional independent living plan shall be in place as specified in Sections 31-525.11 through 5; however, services shall be subject to the continued availability of federal independent living funds.

- .1 The purpose of the Independent Living Program (ILP) is to provide program services and activities as described in the TILP to assist eligible youth to live independently.
- .2 The county social worker/probation officer shall determine ILP eligibility concurrently with the development of the initial TILP and redetermine ILP eligibility with each TILP update.
- .3 Youth shall be eligible for ILP services up to their 21st birthday provided one of the following criteria is met:
 - .31 Were/are in foster care at any time from their 16th to their 19th birthday. This does not include youth placed in detention facilities, locked facilities, forestry camps, training schools, facilities that are primarily for the detention of youth who are adjudicated delinquent, medical and psychiatric facilities, voluntary placements, wraparound program participants, youth placed pursuant to an individualized education program and guardianship placements in which the youth is not a dependent or ward of the court.
 - .32 Were/are 16 years of age up to 18 years of age and in receipt of the Kinship Guardianship Assistance Payment Program (KinGap) assistance.
 - .33 Eligible youth younger than 16 years of age may participate in an ILP for younger youth if the county of jurisdiction has a county plan that includes such a program. Youth younger than 16 years of age placed outside their county of jurisdiction may participate in an ILP for younger youth only with prior approval of the county of jurisdiction. Participation in an ILP for younger youth prior to age 16 does not qualify a youth for ILP eligibility.
- .4 ILP participation is deferred only if the youth is physically or mentally unable to benefit from the ILP as determined by the youth's primary care physician or health/mental health care professional or if the youth declines to participate in the ILP. If ILP participation is deferred, the social worker/probation officer on behalf of youth in foster care or the ILP coordinator on behalf of KinGap youth and other eligible youth shall document, in the TILP the reason(s) for the deferment. A redetermination of deferment shall be made at least every six months and documented in the TILP.
- .5 Eligibility for the ILP shall not be determined by outside agencies such as contractors or vendors.

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.51 Welfare and Institutions Code Section 16501(c) specifies:

"Counties shall not contract for needs assessment, client eligibility determination, or any other activity as specified by regulations of the State Department of Social Services, except as specifically authorized in Section 16100."

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.6 County social workers/probation officers shall:

.61 Ensure that foster care/probation youth are given appropriate information about and the opportunity to participate in the ILP.

.62 Ensure that ILP participation is not used as a punishment or reward.

.63 Use the TILP document available on the Child Welfare Services Case Management Services (CWS/CMS).

.64 Work with foster care/probation youth to ensure that they have access to ILP core services as described in Section 31-525.8.

.65 Collaborate with the youth, ILP Coordinators, care providers, and other service providers to ensure the development and implementation of TILP goals, services and activities, including addressing transportation needs.

.66 Prior to the youth's emancipation, ensure that ILP services are provided as identified in the TILP.

.67 Defer ILP enrollment only if the youth is physically or mentally unable to benefit from the program as determined by the youth's primary care physician or health/mental health care professional or if the youth declines to participate. A redetermination of deferment shall be made at least every six months and be documented in the TILP.

.68 Provide, as applicable, the necessary records, referrals and documentation to ensure that timely and appropriate ILP service provision has meet the goals and services of the TILP as described in Section 31-236.

.7 County ILP Coordinators shall:

- .71 Ensure that every eligible youth participating in ILP up to age 21 has a TILP.
- .72 Shall collaborate with the youth, social workers/probation officers, care providers and other service providers to ensure the provision of core services and activities so that the goals outlined in the youth's TILP are achieved.
- .73 Ensure that participation in ILP is not used as a punishment or reward.
- .74 Not duplicate or replace services that are available through other agencies and programs.
- .75 Recruit, offer and provide individualized ILP services to eligible youth including emancipated youth, legally emancipated minors, and KinGap youth.
- .76 Ensure that benefits, services and treatment are fair and equitable to all eligible youth.
- .77 Utilize the Emancipated Youth Stipend to provide assistance to emancipated youth who are eligible for the ILP pursuant to Welfare and Institutions Code Section 10609.3.

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.771 Welfare and Institutions Code Sections 10609.3(e)(1) and (2) state:

"(1) Effective July 1, 2000, the department, in consultation with the Independent Living Program Strategic Planning Committee, shall develop and implement a stipend to supplement and not supplant the Independent Living Program. To qualify for this stipend, a youth shall be otherwise eligible for the Independent Living Program, have been emancipated from foster care to live on his or her own, and be approved by the county. The stipend may provide for, but not be limited to, assisting the youth with the following independent living needs:

- (A) Bus passes.
- (B) Housing rental deposits and fees.
- (C) Housing utility deposits and fees.
- (D) Work-related equipment and supplies.
- (E) Training-related equipment and supplies.

(F) Education-related equipment and supplies.”

“(2) Notwithstanding Section 10101, the state shall pay 100 percent of the nonfederal costs associated with the stipend program in paragraph (1), subject to the availability of funding provided in the annual Budget Act.”

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- .8 Core services shall be provided based on identified individual needs and goals as documented in the TILP including, but not limited to:
- .81 Education, including: skill development, assistance and referrals to obtain literacy skills, high school diploma/GED, post-secondary education experiential learning and computer skills;
 - .82 Career development, including: assistance and referral to obtain career exploration, work readiness and responsibility skills, employment development, employment experience, vocational training, apprenticeship opportunities, job placement and retention;
 - .83 Assistance and referral to promote health (including mental health) and safety skills including, but not limited to: substance abuse prevention, smoking cessation, pregnancy prevention, and nutrition education;
 - .84 Referral to available mentors and mentoring programs;
 - .85 Daily living skills, including: information on and experiences and training in financial management and budgeting; personal responsibility skills; self-advocacy; household management; consumer and resource use; survival skills; and obtaining vital records;
 - .86 Financial resources, including: information and referrals regarding financial assistance if applicable, including, but not limited to, incentives, stipends, savings and trust fund accounts, educational/vocational grants, CAL-Grants, Employment Development Departments, registered in One-Stop Career Centers, Workforce Investment Act funding and programs, other employment programs and other forms of public assistance including, but not limited to, CalWORKs, Food Stamps, and Medi-Cal; and
 - .87 Housing information, including: training and referrals about transitional housing programs; federal, state and local housing programs; and landlord/tenant issues.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 358(b), 366 et seq., 391, 706.6, 727.2, 727.3, 10553, 10554, 10609.3, 11375, 16500.1, 16501, 16501.5, and 18987.6, Welfare and Institutions Code; and 42 U.S.C. Sections 672, 675 and 677.